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In re Application of
Shaw, et al.
Application No. 10/527,725
Filed: March 14, 2005
Docket No.: 218601.00007
(TXTECH-0001)

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OFFICE OF PETITIONS

: DECISION ON PETITION
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This is a decision on the petition filed under 37 CFR 1.182 on October 17, 2007. This matter is being properly treated under 37 CFR 1.181 as a petition to withdraw the holding of abandonment.

This application was held abandoned April 6, 2007 for failure to timely submit a proper reply to the final Office action mailed March 5, 2007. Notice of Abandonment was mailed September 19, 2007.

Petitioners assert that a response to the non-final Office action was timely submitted on April 4, 2007 and have provided as proof of mailing and proof of USPTO receipt a return postcard dated April 10, 2007 acknowledging receipt of the reply. Further, the copy of the reply submitted herewith bears a certificate of mailing date of April 4, 2007 in accordance with 37 CFR 1.8.

The original response filed April 10, 2007 has not been located in the application file. However, the arguments and evidence submitted are found convincing.

In view of the evidence thereof, the petition to withdraw the holding of abandonment is hereby GRANTED.

The Notice of Abandonment is hereby VACATED and the holding of abandonment is WITHDRAWN.

The application file is being forwarded to the Technology Center 1600 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

Alesia M. Brown
Petitions Attorney
Office of Petitions